

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

MITCHELL HAYWARD BAILEY

§

§

V.

§

C.A. NO. C-06-168

§

UNITED STATES OF AMERICA

§

**APPELLATE IN FORMA PAUPERIS DEFICIENCY ORDER AND
ORDER DENYING AS MOOT MOTION FOR EXTENSION OF TIME**

The Court has received plaintiff's notice of appeal (D.E.25) but plaintiff has failed to pay the filing fee of \$455.00 or submit a completed application to proceed on appeal *in forma pauperis* with his original signature together with his inmate account data certified by one of the financial officers at the prison.

Accordingly, it is **ORDERED** that the Clerk forward to Plaintiff/Appellant, an application to proceed *in forma pauperis*. Within thirty (30) days of the date of this order Plaintiff/Appellant must submit to the district court either the filing fee of \$455.00 or a completed application to proceed *in forma pauperis* together with his inmate account data certified by one of the financial officers at the prison. Failure to timely comply may result in dismissal of the appeal for want of prosecution.

In view of this order, plaintiff's motion for an extension of time (D.E. 27) is denied as moot.

ORDERED this 13th day of April, 2007.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE